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FILED

MAR 20 2014

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

<p>In the Matter of the Petition by the Division of Oil, Gas and Mining for an Order:</p> <p>(1) Forfeiting Georgia-Pacific Gypsum LLC's letter of credit for the Georgia-Pacific Gypsum Quarry, M/041/0009, located in Sevier County, Utah; and</p> <p>(2) Authorizing the Division to take all other actions necessary to enforce and collect the amount of liability.</p>	<p>MOTION TO WITHDRAW NOTICE OF AGENCY ACTION</p> <p>Docket No.: 2014-016 Cause No.: M/041/0009</p>
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The Utah Division of Oil, Gas and Mining ("**Division**"), by and through its counsel the Utah Attorney General's Office, hereby moves the Utah Board of Oil, Gas and Mining ("**Board**") for an order authorizing the Division to withdraw its Notice of Agency Action in the above-captioned matter, without prejudice.

In support of this motion, the Division represents that it has received confirmation from Bank of America that Irrevocable Standby Letter of Credit Number 3056710, which serves as the reclamation surety for Georgia-Pacific Gypsum LLC's ("**GP**") Georgia-Pacific Gypsum Quarry,

M/041/0009 in Sevier County Utah (“**Mine**”), has been reinstated according to the terms and conditions that previously applied. Exhibit A. Accordingly, the Mine is secured by a reclamation surety of \$122,000.00 and forfeiture of GP’s bond is not required at this time.

Therefore, the Division respectfully requests that the Board enter an order authorizing the Division to withdraw its Notice of Agency Action in this matter without prejudice. A proposed Order Granting Motion to Withdraw Notice of Agency Action is attached for the Board’s convenience.

RESPECTFULLY SUBMITTED this 20 day of March, 2014.

UTAH ATTORNEY GENERAL’S OFFICE



Steven F. Alder (0033)
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Salt Lake City, Utah 84116
Attorneys for the Division of Oil, Gas, and Mining

EXHIBITS LIST

EXHIBIT A Letter from Bank of America to the Division, March 20, 2014 (1 page)

EXHIBIT A



BANK OF AMERICA - CONFIDENTIAL

PAGE: 1

SCRANTON STANDBY
TRADE OPERATIONS PA6-580-02-30
1 FLEET WAY
SCRANTON PA 18507

MARCH 20, 2014

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: 3056710

BENEFICIARY
UTAH DIVISION OF OIL, GAS, AND
MINING
1594 WEST NORTH TEMPLE, SUITE 1210
BOX 145801

APPLICANT
GEORGIA-PACIFIC GYPSUM LLC
133 PEACHTREE ST. N.E.
ATLANTA, GA 30303

SALT LAKE CITY, UTAH 84114-5801
ATTN: PAUL BAKER

RE: SIGURD, UT
(PERMIT NO. M/041/009)

AND AS AGENT FOR
U.S. BUREAU OF LAND MANAGEMENT
UTAH STATE OFFICE
P.O. BOX 45155

SALT LAKE CITY, UT 84145-0155

THE NOTICE OF NON-EXTENSION DATED DECEMBER 24, 2013 IS HEREBY
RESCINDED.

THE AUTOMATIC EXTENSION TERMS ARE HEREBY REINSTATED.

ALL TERMS AND CONDITIONS REMAIN UNCHANGED.

IF YOU HAVE ANY INQUIRIES REGARDING THIS NOTICE, PLEASE CALL
800-370-7519 OPT 1 AND QUOTE OUR REFERENCE NUMBER LISTED ABOVE.

SINCERELY,
BANK OF AMERICA N.A.



AUTHORIZED SIGNATURE



CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **MOTION TO WITHDRAW NOTICE OF AGENCY ACTION** for Docket No. 2014-016, Cause No. M/041/0009, to be mailed with postage prepaid, via E-mail or First Class Mail, this 21st day of March, 2014, to the following:

Georgia-Pacific Gypsum LLC
133 Peachtree St. N.E.
Atlanta, GA 30303

Mike Johnson
Assistant Attorney General
Department of Natural Resources
Attorney for the Board of Oil, Gas, and
Mining
1594 West North Temple, Suite #300
Salt Lake City, UT 84114
[Via E-mail]

Steven F. Alder (0033)
Kassidy J. Wallin (14360)
Assistant Attorney General
Department of Natural Resources
Attorneys for the Division of Oil, Gas, and
Mining
1594 West North Temple, Suite #300
Salt Lake City, UT 84114
[Via E-mail]

Bank of America
Scranton Standby
Trade Operations
1 Fleet Way
Scranton, PA 18507

U.S. Bureau of Land Management
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, Utah 84101
[Address Updated 2/28/14]

A handwritten signature in blue ink that reads "Julie Ann Carter". The signature is written in a cursive style and is positioned above a horizontal line.

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

<p>In the Matter of the Petition by the Division of Oil, Gas and Mining for an Order:</p> <p>(1) Forfeiting Georgia-Pacific Gypsum LLC's letter of credit for the Georgia-Pacific Gypsum Quarry, M/041/0009, located in Sevier County, Utah; and</p> <p>(2) Authorizing the Division to take all other actions necessary to enforce and collect the amount of liability.</p>	<p style="text-align:center">ORDER GRANTING MOTION TO WITHDRAW NOTICE OF AGENCY ACTION</p> <p style="text-align:center">Docket No.: 2014-016 Cause No.: M/041/0009</p>
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The Board of Oil, Gas and Mining, having considered the Division's Motion to Withdraw Notice of Agency Action, and good cause appearing therefore, hereby GRANTS the Motion. The above-captioned matter is hereby withdrawn, without prejudice.

ENTERED this _____ day of March, 2014.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

Ruland J. Gill, Jr., Chairman